

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BOARD OF REGENTS OF THE  
UNIVERSITY OF NEBRASKA,

Plaintiff,

v.

BASF CORPORATION,

Defendant,

And

MONSANTO COMPANY,

Intervening Plaintiff,

And

SYNGENTA CROP PROTECTION, INC.,

Intervening Defendant.

Case No. 4:04CV3356

**ORDER**

Pursuant to the Joint Motion and Stipulation of Dismissal (Filing No. 486) filed by the Board of Regents of the University of Nebraska (the "University"), BASF Corporation ("BASF"), and Monsanto Company ("Monsanto"),

IT IS HEREBY ORDERED:

1. that all claims asserted by BASF in this Action are dismissed with prejudice;
2. that Counts I-IV of Monsanto's Second Amended Complaint in Intervention in this Action are dismissed without prejudice only as against BASF and not any other party;

3. that the First and Second Claims for Relief in the University's Amended Complaint in this Action are dismissed without prejudice only as against BASF and not any other party; and

4. that all Parties to this Stipulation shall bear their own attorneys' fees and costs in this action.

Dated this 7<sup>th</sup> day of November, 2008

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge